

REMARKS

The status of the claims is as follows:

Original:	16-19
Currently amended:	1-3 and 20
Previously presented:	9-11
Canceled:	4-8 and 12-15
New:	21

With entry of this amendment, claims 1-3, 9-11 and 16-21 are pending. Reconsideration is requested.

Claims 4-8 are canceled herein. Claims 12-15 were canceled in a previous amendment.

Claim 20 has been amended to correspond to the first embodiment in the specification as set forth on pages 12-17 of the specification.

Claim 1 has been amended to correspond to the first sub-class of the first class as set forth on pages 32-33 of the specification, and to include therein the definition of HetK set forth in the paragraph bridging pages 23-24.

Claim 2 has been amended to correspond to the fifth sub-class of the first class as set forth on the last two lines on page 37 in the specification.

Claim 3 has been amended to correspond to the second sub-class of the second class as set forth in the first two lines on page 39 in the specification.

New claim 21 recites a subset of the compounds set forth in canceled claim 8.

With the above-mentioned amendments, claims 1-3, 9-11, 20 and 21 are fully supported by U.S. provisional application no. 60/551,625, filed March 9, 2004, to which a benefit of priority has been claimed.

None of the amendments introduces new matter.

This amendment is being made without prejudice. Applicants reserve the right to pursue any or all of the subject matter recited in the canceled claims and any or all subject matter removed from the pending claims in one or more continuing applications.

Correction of Inventorship under 37 CFR § 1.48

A request for correction of inventorship under Rule 1.48 accompanies this amendment.

Information Disclosure Statement

An information disclosure statement updating the status of co-pending U.S. serial no. 10/587,601 is enclosed. An interference has been declared between USSN '601 and US 7,211,572 (Miyazaki). Miyazaki is the reference cited in the section 102(e) rejection set forth in the instant office action.

Rejection under 35 U.S.C. § 102

Claims 1-11 and 16-20 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Miyazaki. Claims 4-8 have been canceled rendering the rejection moot as applied thereto. The rejection is traversed with respect to claims 1-3, 9-11 and 16-20. The rejection is also traversed with respect to new claim 21, to the extent the Examiner deems the rejection is applicable thereto.

The 102(e) data of Miyazaki is October 5, 2004, which is the filing date of parent USSN 10/958,225. As indicated above, instant claims 1-3, 9-11, 20 and 21 are entitled to an effective filing date of March 9, 2004, which antedates the effective filing date of Miyazaki. Thus, Miyazaki is not available as a reference under 102(e), and withdrawal of the 102(e) rejection of claims 1-3, 9-11, 20 and 21 is requested.

Claims 16-19 recite processes for preparing certain 2,6-naphthyridine-1-carboxamides. Miyazaki does not teach the claimed processes. Withdrawal of the 102(e) rejection of claims 16-19 is accordingly requested.

The application is believed to be in condition for allowance and passage to issue is requested. The Examiner is invited to telephone the undersigned should any minor matters need to be resolved before a Notice of Allowance can be mailed.

Respectfully submitted,

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